

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO

CHART INC.,

Plaintiff,

v.

EXTRON COMPANY,

Defendant.

CASE NO. 1:23-CV-00597-CEF

**JOINT MOTION FOR
EXTENSION OF DEADLINE TO
COMPLETE MEDIATION**

Plaintiff Chart Inc. (“Chart”) and defendant Extron Company (“Extron”) (collectively, the “Parties”), by and through their respective counsel of record, submit this Joint Motion for Extension of Deadline to Complete Mediation. The Parties respectfully request a 90-day extension of the current January 5, 2024 deadline to complete mediation, which would extend the deadline to April 5, 2024.

On July 26, 2023, the Court entered an order that set a deadline of January 5, 2024 for the parties to complete mediation. In good faith, the parties agreed upon and selected a mediator, worked to schedule and prepare for a mediation so that mediation could be completed in accordance with the Court’s deadline. However, as outlined below, the parties require additional time to complete the mediation of this matter.

This is an action by contribution by Chart against Extron under Ohio Rev. Code § 2307.25(B) which arises from complex underlying litigation which took place in California. Thus, in order for the Parties to meaningfully engage in mediation, Extron needs to be able to review certain case documents and case materials from the underlying litigation. Many of those documents and materials were subject to a protective order(s) or other confidentiality restrictions and thus, specific permission to share them with Extron was required.

While Chart worked diligently to get permission and share documents from the underlying litigation with Extron, due to reasons outside of the Parties' control, Chart was only able to begin producing such documents and materials from the underlying litigation to Extron in late November 2023. Further documents from the underlying litigation will be produced over the coming month. Extron will need additional time to review these materials in order to be prepared to engage in a meaningful settlement meeting at mediation.

As a result, because of the voluminous nature of the documents and materials produced, as well as the need to coordinate dates for a multi-day mediation among the Parties and their chosen mediator, the Parties will not be able to engage in a meaningful and productive mediation in advance of the current January 5, 2024 deadline. Thus, the Parties thus request an extension to April 5, 2024 of the deadline to complete mediation requested herein.

Accordingly, the Parties respectfully request that the Court grant this Motion and extend the deadline for the Parties to complete a mediation of this matter to April 5, 2024.

Dated: December 29, 2023

Respectfully submitted,

BARNES & THORNBURG LLP

/s/ John M. Moye

D. Austin Bersinger (*admitted pro hac vice*)
John M. Moye (*admitted pro hac vice*)
3340 Peachtree Road N.E., Suite 2900
Atlanta, Georgia 30326-1092
Tel. (404) 846-1693 | Fax (404) 264-4033
JMoye@btlaw.com
Austin.Bersinger@btlaw.com

Denise A. Lazar (*admitted pro hac vice*)
One North Wacker Dr., Suite 4400
Chicago, Illinois 60606
Tel. (312) 214-4816 | Fax (312) 759-5646
denise.lazar@btlaw.com

GORDON REES SCULLY MANSUKHANI, LLP

/s/ James K. Holder

James K. Holder (*admitted pro hac vice*)
275 Battery Street, Suite 2000
San Francisco, CA 94111
Tel. (415) 875-4192 | Fax (415) 986-8054
jholder@grsm.com

Eric S. Bravo (0048564)
41 South High Street, Suite 2495
Columbus, Ohio 43215
Tel. (614) 340-5558 | Fax (614) 360-2130
ebravo@grsm.com

Attorneys for Defendant Extron Company

David J. Dirisamer (0092125)
41 South High Street, Suite 3300
Columbus, OH 43215
Tel. (614) 628-0096 | Fax (614) 628-1433
David.Dirisamer@btlaw.com

Attorneys for Plaintiff Chart, Inc.